

Appl. No. 10/789,841  
Auy. Docket No. 9178M  
Amdt. dated October 5, 2005  
Reply to Office Action of July 5, 2005  
Customer No. 27752

### REMARKS

Claims 1-13 and 30 are pending. Claims 14-29 and 31-35 have been canceled.  
Basis for the amendment is found *inter alia* at page 5, lines 19-30.

### ELECTION/RESTRICTION

The Office Action restricts the present invention into six groups. Applicant hereby confirms its election of group I without traverse.

### DOUBLE PATENTING

The Office Action rejects the claims under the judicially created doctrine of obvious-type double patenting as being unpatentable over claims 1-20 of copending Application No. 11/034,478; and Claims 1-13 and 30 over U.S. Pat. No. 6,797,688. Application No. 11/034,478 is a continuation application of U.S. Pat. No. 6,939,844, which is in turn is a continuation of U.S. Pat. No. 6,797,688. As such, U.S. Pat. No. 6,797,688 and Application No. 11/034,478 share the same specification.

Applicants respectfully traverse this rejection. Claim 1, as now amended, requires a molecular weight range of starch component of from about 2,000,000 to about 10,000,000. No such limitation is found in the claims of the cited references. Moreover, the cited references disclose, at best, a molecular weight of 1,000,000. *See e.g.*, U.S. Pat. No. 6,797,688 at column 3, lines 9-13. In view of the foregoing, the double patenting rejection is traversed.

### Rejection Over U.S. Pat. No. 6,797,688 under 35 USC §§ 102 & 103

The Office Action rejects the claims over U.S. Pat. No. 6,797,688 under 35 USC §§ 102 & 103. Applicant overcomes the rejection by amending claim 1 to include 2,000,000 as the lower limit of the molecular weight range of starch component. In contrast, the cited patent discloses, at best, a maximum of 1,000,000. Applicant's lower

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limit is essentially double the reference's disclosed upper limit. In view of the foregoing,  
Applicant submits the rejection is overcome.

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Rejection Over EP 596,580 under 35 USC §§ 102 & 103

The Office Action rejects the claims over EP 596,580 under 35 USC §§ 102 & 103. Applicant overcomes the rejection by amending claim 1 to include 2,000,000 as the lower limit of the molecular weight range of starch component. The Office Action fails to establish how the EP reference teaches or suggests this claim limitation. In view of the foregoing, Applicant submits the rejection is overcome.

CONCLUSION

In view of the foregoing amendments and accompanying remarks, reconsideration of the application and allowance of claims is respectfully requested.

Respectfully submitted.

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